

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES, *et al.*,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 1:23-CV-00108-
LMB-JFA

[PROPOSED] ORDER

Upon consideration of Non-Party Yahoo Ad Tech LLC's Confidential Memorandum In Support of Motions, and for good cause shown, the Court hereby ORDERS that Yahoo's motion to appear is GRANTED; and it is further ORDERED that the following exhibits and/or excerpts containing Yahoo's confidential business information shall remain under seal.

- Declaration of Bryon Becker in Support of Google LLC's Motion for Summary Judgment and Motions to Exclude (Dkts. 581-85);
 - Exhibit 1
 - p. 183, fn 634 (the monthly total number of worldwide open-web display impressions served)
 - p. 184, Figure 45 (worldwide open-web display impressions served by Publisher ad servers (2018-2022))
 - p. 199, Figure 47 (share of worldwide indirect open-web display impressions transacted through ad exchanges (2018-2022))
 - p. 200, Figure 48 (shares of worldwide indirect open-web display impressions among ad exchange (2022))

- p. 203, Figure 49 (net revenues from the sale of worldwide indirect open-web display impressions (2018-2022))
- p. 204, Figure 50 (share of ad exchange fees from worldwide indirect open-web display transactions (2018-2022))
- p. 205, Figure 51 (shares of ad exchange fees from worldwide indirect open-web display transactions (2022))
- D-3, Figure 90 (share of US indirect open-web display impressions transacted through ad exchanges (2018-2022))
- D-5, Figure 92 (net revenues from the sale of US indirect open-web display impressions (2018-2022))
- D-6, Figure 93 (share of ad exchange fees from US in indirect open-web display impressions (2018-2022))
- D-7, Figure 94 (shares of ad exchange fees from US indirect open-web display transactions (2022))
- D-8, Figure 95 (share of worldwide indirect open-web display through ad exchanges (2018-2022))
- D-9, Figure 96 (share of US indirect open-web display spend)
- D-18, Figure 107 (US open-web display impressions served by publisher ad servers (2018-2022))
- E-2, Figure 110 (Summary of worldwide open-web indirect display take rates among ad exchanges)
- G-1, Figure 122 (share of worldwide indirect open-web display impressions transacted through ad exchanges (2018-2022))
- G-2, Figure 123 (share of ad exchange fees from worldwide indirect open-web display transactions (2018-2022))
- G-3, Figure 124 (share of US indirect open-web display impressions transacted through ad exchanges (2018-2022))
- G-4, Figure 125 (net revenues from the sale of US indirect open-web display impressions (2018-2022))

- G-9, Figure 130 (worldwide open-web display impressions served by publisher ad servers (2018-2022))
- G-10, Figure 131 (US open-web display impressions served by publisher ad servers (2018-2022))
- Exhibit 3
 - p. 82, fn 382 (ability to serve programmatic direct deals)
 - B-7, Figure 69 (US indirect open-web display impressions (2018-2022))
 - B-8, Figure 70 (US indirect open-web display impressions (2018-2022))
 - B-9, Figure 71 (worldwide indirect open-web display impressions (2018-2022))
 - B-10, Figure 72 (US indirect open-web display spending (2018-2022))
 - Figure 88 (Yahoo data regarding exchanges participating in open bidding on GAM, worldwide (2022) was used in creating a chart by the expert witness)
- Exhibit 5
 - Expert Report of Simcoe, p. 113 (The firms' ad exchanges that are covered in this dataset are: AdX, DCN, Equativ, Index Exchange, Magnite, OpenX, Pubmatic, Sharethrough, Sovrn, Xandr, Yahoo, Yieldmo, and Zedo.)
 - Yahoo was listed as one of the firms' ad exchanges that are covered in this dataset prepared by the expert witness analyzing the ad impressions that are sold in the ad exchange relevant market.
- Declaration of Bryon Becker in Support of Google LLC's Replies in Support of Google LLC's Motion for Summary Judgment and Motions to Exclude (Dkt. 708).
 - Exhibit 127, Appendix H.1 (no description was provided by Plaintiffs)
- DOJ's Opposition to Google's Summary Judgment Motion (Dkt. 669)

- Exhibit 8, Figure 47 (AdX maintains a substantial share of worldwide indirect open-web display impressions transacted through ad exchanges (2018–2022))
- Exhibit 8, Figure 48 (AdX and third-party ad exchanges' shares of worldwide indirect open-web display impressions among ad exchange (2022))
- Exhibit 8, Figure 110 (Summary of worldwide open-web indirect display take rates among ad exchanges)
- Figure 110, VZGGL-ADLIT-0000261 (It is Yahoo's understanding that this document contains historical information from when Yahoo was under Verizon's ownership that is competitively sensitive to Yahoo)
- DOJ Opposition to Motion to Exclude Lee (Dkt. 660)
 - Exhibit A, Figure 45 (worldwide open-web display impressions served by publisher ad servers (2018–2022))
 - Exhibit A, Figure 47 (AdX maintains a substantial share of worldwide indirect open-web display impressions transacted through ad exchanges (2018–2022))
 - Exhibit A, Figure 48 (AdX and third-party ad exchanges' shares of worldwide indirect open-web display impressions among ad exchanges (2022))
 - Exhibit A, Figure 49 (AdX earns consistently high net revenues from the sale of worldwide indirect open-web display impressions (2018–2022))
 - Exhibit A, Figure 50 (AdX maintains a significant share of ad exchange fees from worldwide indirect open-web display transactions (2018–2022))
 - Exhibit A, Figure 51 (AdX and third-party ad exchanges' shares of ad exchange fees from worldwide indirect open-web display transactions (2022))
 - Exhibit A, Figure 85 (share of publisher ad server impressions by publisher location (2022))
 - Exhibit A, Figure 88 (summary of AdX's worldwide indirect open-web display shares among ad exchanges)
 - Exhibit A, Figure 107 (US open-web display impressions served by publisher ad servers (2018–2022))

- Exhibit A, Figure 108 (annual publisher ad-server impression shares with additional parties, global and US)
- Exhibit G, Figure 6 (annual US publisher ad server impressions shared (2018-2022))
- DOJ Opposition to Motion to Exclude Simcoe (Dkt. 640)
 - Exhibit A, Figure 5 (worldwide open-web display impressions)
 - Exhibit D, Figure 47 (AdX maintains a substantial share of worldwide indirect open-web display impressions transacted through ad exchanges (2018–2022))
 - Exhibit D, Figure 110 (summary of worldwide open-web indirect display take rates among ad exchanges)
 - Exhibit G, Figure 41 (AdX Share of U.S. Indirect Open Web Display (Non-Video) Exchange Spending (2019-2022))
 - Exhibit D, VZGGL-ADLIT-0000261 (It is Yahoo’s understanding that this document contains historical information from when Yahoo was under Verizon’s ownership that is competitively sensitive to Yahoo)

ENTERED this ____ day of _____ 2024.

Alexandria, Virginia
